

# Exhibit H

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ERIKA WILLIAMS, JAMES TULLY,  
WALTER RICHARDSON, and MICHAEL  
FRANK, individually and on behalf of all others  
similarly situated,

Plaintiffs,  
v.

WELLS FARGO ADVISORS, LLC

Defendant.

Case No. 1:14-cv-1981

Honorable John J. Tharp Jr.

**DECLARATION OF J. BRYAN WOOD IN SUPPORT OF PLAINTIFFS'  
UNOPPOSED MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT,  
SERVICE AWARDS, AND ATTORNEYS' FEES AND COSTS**

I, J. Bryan Wood, declare under penalty of perjury that the following is based on my personal knowledge and is true and correct.

Background & Experience

1. I am an attorney in good standing and licensed to practice law in the State of Illinois and in the Northern District of Illinois since 1999, in the Southern District of Illinois since 2001, in the Central District of Illinois since 2002, before the Court of Appeals for the Sixth Circuit since 2001, and before the Court of Appeals for the Seventh Circuit since 2013.

2. I am the principal and founder of The Wood Law Office, LLC. I have worked exclusively in employment law in Chicago since 1999, approximately 18 years after graduating from the University of Virginia School of Law.

3. From 1999 to 2003, I was an attorney with the Chicago law firm of Seyfarth Shaw where I represented employers in traditional labor and employment litigation matters. From

2003 to 2007, I was an attorney with Stowell & Friedman, Ltd. where I represented employees in class, collective, and individual employment litigation in courts, administrative agencies, and arbitral forums, including federal jury trials and arbitration hearings resulting in multi-million dollar verdicts or awards.

4. In 2007, I established my own practice as “The Law Office of J. Bryan Wood” which is now “The Wood Law Office, LLC.” Since beginning my own practice, I have co-counseled with over a dozen employment law firms throughout the Midwest and California.

5. I received an AV+ Preeminent Lawyer rating from Martindale-Hubbell beginning in 2016 and have been recognized as an Illinois Super Lawyer in the category of “Employment Litigation: Plaintiff” since 2016. I am a frequent speaker on labor and employment topics. *See J. Bryan Wood Attorney Profile, SUPERLAWYERS.*<sup>1</sup> Formerly, I was a Chicago Bar Association Labor and Employment Law Practice Committee Chair and have been a board member of the National Employment Lawyers Association-Illinois since 2009.

6. I have extensive experience in all aspects of trial litigation in state and federal courts and administrative agencies. I have successfully litigated a wide range of employment cases, including cases involving discrimination, wage and hour issues, retaliation, harassment, and wrongful discharge under various federal and state laws.

#### Class Litigation Experience

7. I applied for and was selected to attend the Impact Fund’s “Class Action Training Institute” in Los Angeles, California in December 2007. The annual, multi-day training focuses on practical aspects of class litigation from case investigation through and including class certification briefing and settlement. In 2015, when the Impact Fund conducted its Class Action

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<sup>1</sup> Available at, <http://profiles.superlawyers.com/illinois/chicago/lawyer/j-bryan-wood/7ab162b9-3fd3-464c-b33a-3ff1e7874045.html>.

Training Institute in Chicago, I was asked to and agreed to participate on the four-attorney “faculty” to teach attorneys about class litigation.

8. Over the course of my practice, I have used my experience and training (including that received while employed at Stowell & Friedman, Ltd.) to represent plaintiff classes and putative classes in employment related matters in conjunction with co-counsel, including cases in which certification was denied (not referenced here). Below are cases (other than this one) where I was appointed Class Counsel:

- a. I was appointed Class Counsel for an Equal Pay Act Collective in *Ahad v. Southern Illinois School of Medicine et al.*, 3:15-cv-03308-SEM-TSH (C.D. Ill.) (Dkt. 53, p. 21), a case alleging pay discrimination on behalf of female physician faculty members.
- b. In *Pippen v. State of Iowa*, No. 12-cv-0913 (Sup. Ct. of Iowa), I was appointed class counsel for a class of hundreds of African Americans asserting unintentional hiring and promotion discrimination claims under federal and Iowa law. After certification, the disparate impact claims were tried to verdict over the course of several weeks. I further represented the class on appeal.
- c. I was appointed as class counsel in *Chicago Fire Fighters v. City of Chicago*, 88-cv-3773 (N.D. Ill.) (Dkt. 1356, p. 6), for a class of fire fighters asserting race discrimination claims under federal law for purposes of administering a class settlement (I was involved in that litigation while employed at Stowell & Friedman, Ltd.).

Services Provided in *Williams et al. v. Wells Fargo Advisors, LLC.*

9. I did not file an appearance on behalf of Plaintiffs or the putative class in this matter until June 2017. (Dkt. 62.) However, I began working on this matter in January 2016.

10. Stowell & Friedman, Ltd. served as lead counsel, but my office's responsibilities on this matter included assisting in case analysis, damages calculations, negotiation strategy, communicating with class members, reviewing and revising briefs, participating in the mediation before Michael Dickstein in Charlotte, North Carolina, and other duties. Additionally, my office assisted with legal research and preparing to litigate in the event a settlement could not be reached (e.g., by assisting in preparing amended pleadings, drafting formal discovery requests, researching and drafting a motion for conditional certification, etc.).

11. Once the terms of settlement were agreed in principle, I worked extensively with Wells Fargo's counsel Kenneth Turnbull to prepare the settlement agreement, supporting exhibits, and materials submitted in support of preliminary approval. Since preliminary approval was granted, I have been primarily responsible for coordinating and communicating with the Claims Administrator, Epiq, and assisting in answering Class Members' inquiries. These are only some of the responsibilities my office performed.

12. In performing these services, I relied on a former associate (Leslie Carter), two different contract attorneys (Allison Creekmur and Zac Pestine), and Senior Paralegal Benjamin Coate. I describe their experience and background and the customary hourly rates my office charges for their services below. Using those rates for the services provided by The Wood Law Office, LLC on this matter, the lodestar calculation of fees for The Wood Law Office, LLC through November 20, 2017 is \$189,352.50 (based on a total of 425.8 attorney hours and 30.6 non-attorney hours).

The Wood Law Office, LLC's Hourly Rates

13. By virtue of my experience in employment litigation, I am familiar with the range of fees customarily charged by attorneys located in Chicago who practice law in the employment

field. As part of my practice, I also review judicial decisions granting or denying fee awards in employment cases.

14. Consistent with customary practice in Chicago, I use current hourly rates for service providers in fee applications (rather than seeking interest for work performed in the past). The \$450/hour fee that I currently charge for my time is reasonable for a partner-level attorney with a comparable background and experience in solo-practice or one-to-three lawyer office. *See Kurgan v. Chiro One Wellness Ctrs.*, No. 10-cv-1899, 2015 U.S. Dist. LEXIS 52006, at \*13 (N.D. Ill. 2015) (awarding \$500/hour to Maureen Salas, an attorney with nine years of experience, and \$600/ hour to Douglas Werman, an attorney with twenty-five years of experience); *see also Pulido v. Mick White Renovations, LLC*, No. 15-cv-10933, Dkt. 36, at ¶ 3 (N.D. Ill. 2016) (awarding \$475/hour to Marni Willenson, an attorney with twenty years of experience).

15. The Wood Law Office, LLC establishes rates for associates and other service providers based on their experience, education, and background. Leslie Carter, an associate who spent time on this matter in 2016, no longer works for The Wood Law Office, LLC. Carter was and is an attorney in good standing and licensed to practice law in the State of Illinois and in the Northern District of Illinois. Carter left employment with The Wood Law Office, LLC to become a Trial Attorney for the Equal Employment Opportunity Commission in Milwaukee. Carter graduated from the University of Pennsylvania School of Law in 2008. After law school, Carter worked as an associate at Duane Morris LLP in Philadelphia where she litigated in many areas of law, including employment law.

16. Based on her work experience, The Wood Law Office, LLC considers Carter as an attorney with seven years of experience. Carter's current hourly rate with The Wood Law

Office is \$275/hour. Carter's hourly rate is reasonable for an attorney in this community with her level of experience. *See Kurgan*, 2015 U.S. Dist. LEXIS 52006, at \*13 (awarding \$300/hour to Andrew Ficzko, an attorney with six years of experience).

17. Benjamin Coate, a 2013 graduate of IIT Chicago-Kent College of Law, has worked as a law clerk or paralegal at The Wood Law Office, LLC or its predecessor since 2013. Coate has worked on employment law matters on behalf of employees as a law clerk since 2011, previously working on wage and hour matters with Willenson Law, LLC. Coate's current hourly rate as a Senior Paralegal with The Wood Law Office, LLC is \$135/hour. Coate's hourly rate is reasonable for a paralegal with his experience and background in this community. *See Kurgan*, 2015 U.S. Dist. LEXIS 52006, at \*13 (awarding two paralegals \$140/hour, one paralegal \$125/hour, and three paralegals \$100/hour).

18. The customary rate for contract attorneys at my office is \$150/hour. Two contract attorneys also worked on this matter. I believe their rates are within the range of market rates for contract attorneys in employment litigation.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the forgoing is true and correct.

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*/s/ J. Bryan Wood*  
J. Bryan Wood

Executed on November 21, 2017